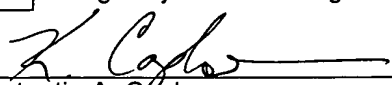
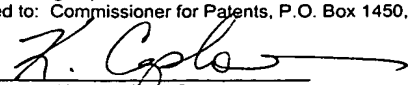


3138

AMENDMENT TRANSMITTAL LETTER				Docket No. SPINE 3.0-029	
Application No. 09/388,726	Filing Date September 2, 1999	Examiner B. E. Pellegrino	Art Unit 3738		
Applicant(s): Howard An, Yves Crozet, and Todd Harrington					
Invention: DISTRACTABLE CORPECTOMY DEVICE					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	41	- 61 =		x	0.00
Independent Claims	8	- 11 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Konstantin A. Caploon Attorney Reg. No.: 51,527			Dated: <u>February 9, 2004</u>		
RECEIVED FEB 17 2004 TECHNOLOGY CENTER R3700					
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6440					
<p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.</p> <p>Dated: February 9, 2004 Signature:  (Konstantin A. Caploon)</p>					



Docket No.: SPINE 3.0-029
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

223-
#28/F
DB

In re Patent Application of:
An et al.

Application No.: 09/388,726

Filed: September 2, 1999

For: DISTRACTABLE CORPECTOMY DEVICE

Group Art Unit: 3738

Examiner: B. Pellegrino

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Dear Sir:

In response to the official action mailed November 28, 2003, applicant submits the following amendments and remarks.

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FEB 17 2004

TECHNOLOGY CENTER R3700

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 9, 2004

Signature: 

(Konstantin A. Caploon)